

1:23-mj-3135-TMP

AFFIDAVIT

Your Affiant, Gerrod Briggs, deposes and states:

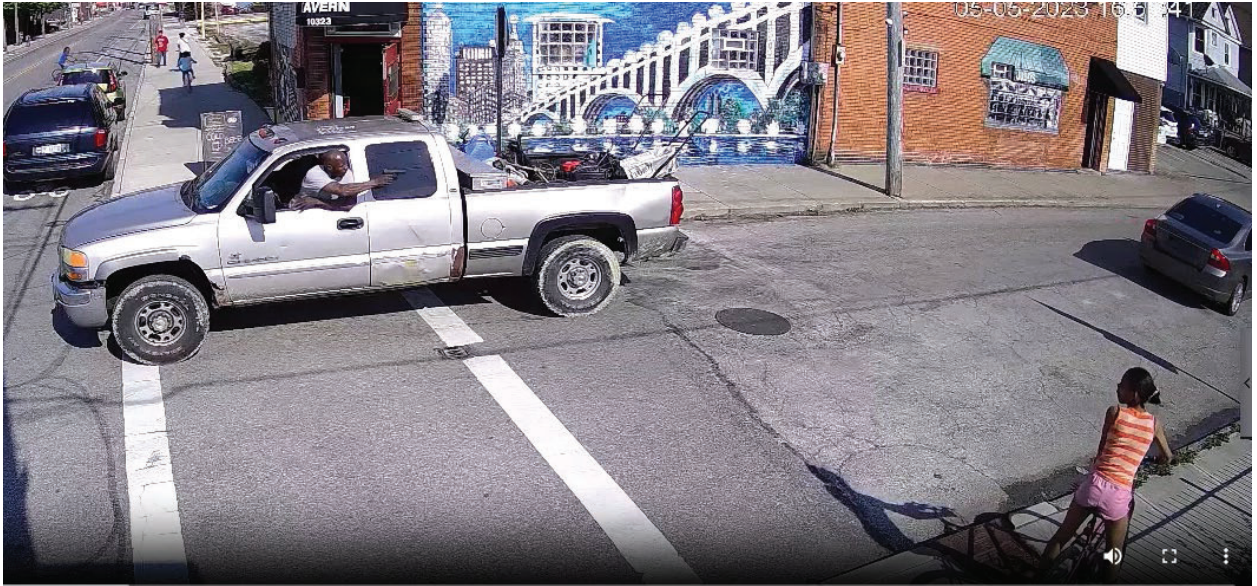
1. I am a Special Agent (SA) of the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been so employed since March 2015. I was previously employed as an Explosive Ordnance Disposal Technician in the United States Army beginning in November 2010. I have attended formal training in the United States Naval School for Explosive Ordnance Disposal, the Federal Law Enforcement Training Center, and the ATF National Academy in Glynco, Georgia. I have received training in the enforcement of the various criminal statutes enacted in the Gun Control Act of 1968 and in the National Firearms Act of 1934. I am presently assigned as a Special Agent for the ATF Columbus Field Division's Cleveland Group IV. As an ATF Special Agent, I have participated in numerous federal and state investigations involving the sale, possession, and trafficking of firearms and controlled substances. Through my participation in these investigations, I have debriefed numerous defendants, confidential informants, cooperating sources, and witnesses with personal knowledge regarding firearms or narcotics trafficking. I have also participated in undercover operations, conducted physical and electronic surveillance, managed informants and cooperating sources, seized evidence and contraband, executed search warrants, and arrested defendants. I have also been trained as a Firearms Interstate Nexus Expert by ATF.
2. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that the violation of 18 U.S.C. § 922(g)(1) (Felon in possession of ammunition) has been committed by Larelle **CROMITY**. **CROMITY** knowingly possessed ammunition that moved in interstate or foreign commerce. **CROMITY** is

prohibited from possessing firearms and/or ammunition after he was convicted in the Cuyahoga County Court of Common Pleas in case number CR-08-510882-B for Felonious Assault (ORC 2903.11.(A)(2)), on or about November 17, 2008, and CR-09-524051-B Attempted Felonious Assault (ORC 2903.11.(A)(2)), on or about September 30, 2009.

PROBABLE CAUSE

3. On May 5, 2022, Cleveland Police Department Officers received a call for shots fired in the area of W. 104th St. and Madison Avenue, Cleveland, Ohio. On scene witnesses stated that the drivers of a GMC Sierra truck and a Volvo sedan got into an argument in which the driver of the Sierra shot at the Volvo (CPD Report #2023-127747).
4. Video surveillance from surrounding businesses were retrieved from different angles of the intersections. The male driver of the Sierra was a bald black male, later identified as **CROMITY**. Video surveillance shows the Sierra facing northbound on W. 104th St. at the intersection of Madison Avenue. As the Sierra was pulling up to the intersection, a Volvo travelling westbound on Madison Avenue began to turn southbound on W. 104th St. As the Volvo turned the Sierra lunged towards the Volvo, honked, and the driver of the Sierra leaned out the window stating “I see your bitch ass.” Multiple young children were riding their bicycles at the intersection while this exchange occurs between the two drivers. The driver of the Volvo opens the door and leans out pointing towards the Sierra. The driver of the Sierra can be observed reaching around the vehicle and then producing a handgun pointed out of the driver’s side window. The driver of the

Volvo reentered the vehicle and started driving away from the Sierra heading south on W. 104th St. As the Volvo was driving away from the intersection and the Sierra, the driver of the Sierra shot five to six times at the Volvo. Cartridge casings are observed being ejected from the firearm onto the street near the crosswalk. The Sierra then flees the area westbound on Madison Ave.



5. From the video surveillance, investigators were able to determine that the license plate to the Sierra was Ohio License Plate #PLQ4242. This vehicle is registered to Lashyria Harp (B/F, DOB: 3/14/19XX) at an address of 20XX W. 99th St. Up, Cleveland, Ohio 44102. Investigators made contact with the manager of one of the businesses with surveillance video who provided investigators with the name of a person who wished to remain anonymous. The identity of this source of information is known to investigators but not named herein. The source of information stated the suspect in the Sierra who conducted the shooting was Larelle **CROMITY**.

6. Almost immediately after the shooting and captured on surveillance video, a security manager from a nearby business removed the cartridge casings from the street so to not be run over by oncoming traffic. The security manager stayed outside near the evidence until police arrive. The cartridge casings were subsequently recovered by Officers Salim and Coleman approximately five to ten minutes after the shooting. A total of five (5) spent .40 caliber cartridge casings were recovered from the area where **CROMITY** shot at the Volvo. All five (5) cartridge casings bore headstamp “R-P 40 S&W.”
7. SA Briggs queried the of the Ohio Law Enforcement Gateway (OHLEG) for **CROMITY**. Upon comparing **CROMITY**’s September 13, 2022 OHLEG photograph and the individual in the Sierra, your Affiant submits that to be the same person.



INTERSTATE NEXUS DETERMINATION

8. Your Affiant is a qualified ATF Interstate Nexus Expert and On May 11, 2023, examined the five (5) rounds of .40 caliber ammunition, bearing headstamp “R-P 40 S&W” and determined that the ammunition recovered from the scene of the shooting was not manufactured in the state of Ohio and thus traveled in interstate commerce to be found in the state of Ohio.

CONCLUSION

9. Based upon the above listed facts and circumstances, your Affiant believes and asserts that there is probable cause to believe that on May 5, 2023, **CROMITY** did unlawfully, knowingly possess, a firearm and/or ammunition in and affecting interstate commerce after having been convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of 18 U.S.C. § 922(g)(1). The above violations were committed in the Northern District of Ohio, Eastern Division. Your Affiant requests that an arrest warrant be issued for Larelle **CROMITY**.



Gerrod Briggs, Special Agent
Bureau of Alcohol, Tobacco, Firearms & Explosives

Sworn to via telephone after
submission by reliable electronic
means. Crim.Rules. 4.1; 41(d)(3)



Thomas M. Parker

United States Magistrate Judge

1:32 PM, May 15, 2023